# GOVERNMENT OF INDIA
# MINES
# LOK SABHA

UNSTARRED QUESTION NO:2359
ANSWERED ON:09.05.2016
Mineral Concession Rules
Jardosh Smt. Darshana Vikram

**Will the Minister of MINES be pleased to state:**

(a) the provisions of "The minerals (Other than Atomic and Hydrocarbon Energy Minerals) Concession Rules, 2016";
(b) whether the said rules prohibit the extension of mining without the renewal of license;
(c) if so, the details thereof and the number of mines operating under admissible extension, State/UT-wise;
(d) whether the Government permits mining in the mines which are more than 25 years old; and
(e) if so, the details thereof?

## Answer

(a): The Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016 prescribe the procedures for regulating the grant of mineral concessions and for purposes connected therewith. The provisions of these rules cover (i) Rights of existing holders of mineral concessions, (ii) Mineral concessions granted through auction, (iii) Terms and conditions of mineral concessions, (iv) Preparation of the mining plan and system of certification, (v) Expiry of a mining lease, (vi) Lapse, surrender or termination, (vii) Transfers, (viii) Procedure for obtaining a prospecting licence or mining lease in respect of land in which the minerals vest in a person other than the government, (ix) Revision, (x) Associated minerals, (xi) Minerals valuation, (xii) Payments, (xiii) Compensation, (xiv) Penalty, (xv) Repeal and saving, etc.

(b): As per sub-section (1) of section 4 of the Mines and Minerals (Development and Regulation) Act, 1957, no person shall undertake any reconnaissance, prospecting or mining operations in any area, except under and in accordance with the terms and conditions of a reconnaissance permit or of a prospecting license or, as the case may be, a mining lease, granted under the Act and the rules made thereunder. In view of this, mining without a mining lease is illegal. The MMDR Amendment Act, 2015 has done away with the concept of renewal of a mining lease. Therefore, there is no renewal of mining leases after 12.01.2015.
(c): Extensions of tenure of mining leases are done by the state governments in accordance with the provisions of section 8A introduced through the MMDR Amendment Act, 2015. Details in this regard, as also the number of mines operating under admissible extension, are not maintained centrally.
(d) & (e): sub-sections (5) and (6) of section 8A introduced through the MMDR Amendment Act, 2015, provide for extension of tenure of mining leases upto 50 years from the date of grant of the lease, or the period of renewal already approved, or till 31.3.2020/31.3.2030 as the case may be (depending on whether it is a captive lease or otherwise), whichever of the three is later, subject to the condition that all the terms and conditions of the lease have been complied with.
In view of the above, the MMDR Act, 1957 provides for the tenure of the mining leases to extend beyond 25 years.
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